

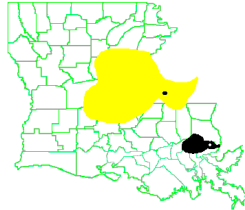
# AGRICULTURE STREET LANDFILL

EPA REGION 6  
CONGRESSIONAL DISTRICT 02  
Orleans Parish  
New Orleans

Updated: February 18, 2000

LOUISIANA

EPA ID# LAD981056997



## Site Description

- Location:** ! The site is located in New Orleans, Orleans Parish, Louisiana. It is approximately three miles south of Lake Pontchartrain and 2.5 to 3.0 miles north-northeast of the Vieux Carre and the Central Business District. The approximate geographic coordinates for the center of the site are 29°59'20" north latitude and 90°02'31" west longitude. The site is bounded on the north by Higgins Road and on the east from Clouet Street (to the south) to Montegut Street (to the north). On the south and west, the site runs along the Southern Railroad right-of-way. The Peoples Avenue and Florida Avenue canals are located west and south of the site, respectively.
- Population:** ! The 1990 Census identifies 390 residential units (some 1,000 people) on the site. The community is predominately African-American, with middle- to-low income levels.
- Setting:** ! A 95 acre former City disposal area that has been partially redeveloped. 47 acres of the site have private and public housing; the Press Park Community Center; a recreation center; retail businesses, and the Moton Elementary school. The remainder of the site is undeveloped and covered by dense vegetation.
- Hydrology:** ! The Peoples Avenue canal is to the west and the Florida Avenue canal is to the south. Both receive storm water run-off from the site. Canal water is pumped into Industrial Canal which then discharges into Lake Pontchartrain. A shallow aquifer (that is not a drinking water source) that underlies the site is encountered between 2 and 9 feet below land surface.

## Wastes and Volumes

- ! When in operation, the disposal area accepted municipal garbage, construction debris, incinerator and open burning ash. This type of material ranges in depth from 2 to more than 32.5 feet beneath the 95 acre site.
- ! The primary contaminants of concern are lead, arsenic, and carcinogenic polynuclear aromatic hydrocarbons (cPAHs).
- ! During the removal action, EPA estimates approximately 121,600 cubic yards of existing soil/waste material will be excavated from 61 acres of the site. This estimate is based removing two feet of soil from the residential properties and the community center, and clearing the dense

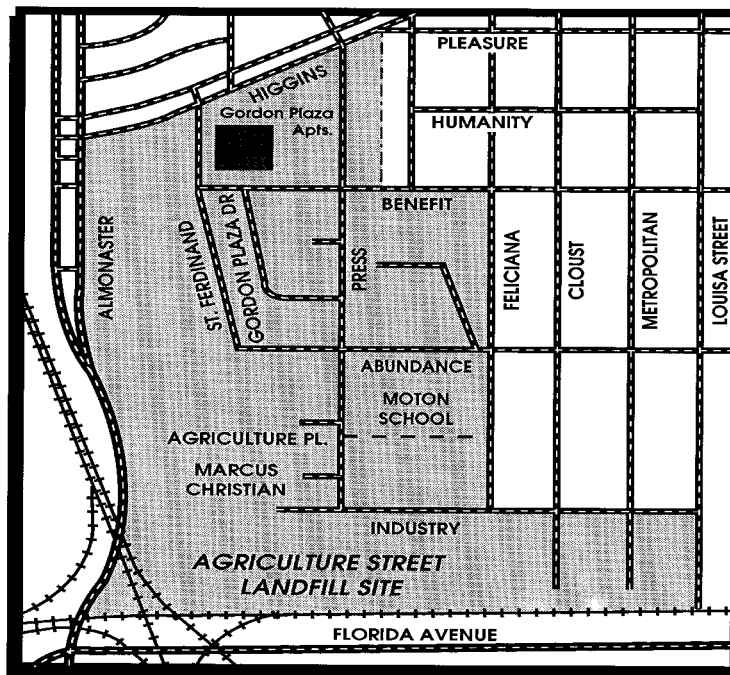
vegetation on the undeveloped property.

## Site Assessment and Ranking

### NPL LISTING HISTORY

Site HRS Score: 50.00  
Proposed Date: 8/23/94  
Final Date: 12/16/94  
NPL Update: No. 13

## Site Map and Diagram



## The Remediation Process

Site History:

- ! 1910 to 1948 - Swamp area used as a dump by the city of New Orleans.
- ! 1948 to 1958 - Dump is converted and used as a sanitary landfill.
- ! 1958 - Landfill is closed.

- ! 1965 - Landfill re-opened to receive debris created by Hurricane Betsy; open burning of waste continued for 6 to 7 months, after which the area was covered with ash from city incinerators and compacted with bulldozers.
- ! 1977 to 1986 - The northern portion of site was re-developed to support housing (390 properties are on the site of the old landfill), small businesses, and the Moton Elementary school. The residential properties received a relatively thin (often 6 inches or less) covering of soil; the Moton School was built upon several feet of clean fill.
- ! 1986- The EPA completed a site investigation. Under the "old" Hazard Ranking System which excluded ingestion, the site did not qualify for placement on the National Priorities List (NPL).
- ! 1993- On May 4, community leaders from the Moton Elementary school area filed a complaint with the Gulf Coast Tenants Organization and requested EPA to re-evaluate the site. In September, EPA collected additional samples for use in the revised HRS model (that reflects ingestion and a soil pathway).
- ! 1994- EPA initiated an accelerated remedial investigation integrated with removal actions. Fieldwork was completed in May 1994, including the erection of a fence around the undeveloped area and removal of highly contaminated soils at a children's play area. The site was proposed to the NPL on August 23, 1994. Due to community concerns created by the Superfund listing, the school board announced on August 24 that the Moton School would not open and that students would be bussed to a different school. The site was formally added to the NPL on December 16, 1994.

#### Health Considerations:

- ! MOTON SCHOOL: No health or environmental problems detected; the school built on top of 3 to 5 feet of clean fill.
- ! SHALLOW GROUND WATER: found to be contaminated with elevated levels of metals. However, this aquifer is not useable by humans and does not impact surface water.
- ! RESIDENTIAL AREAS - SOILS:
  - \* **Current Surface Contamination** - Marginal human health risk:
    - 1.3 X 10<sup>-4</sup> lifetime cancer risk (all contaminants of concern);
    - 6.1% children with projected risk (Lead (Pb) concentrations 500 to 1,000 parts per million (ppm)).
  - \* **Future Surface Contamination** - If landfill materials below the top foot of soils were exposed due to human activity, health risks would increase to:
    - 5.0 X 10<sup>-4</sup> lifetime cancer risk (all contaminants of concern);
    - 63.8% children with projected risk (Pb concentrations 1,000 to 4,000 ppm).
- ! UNDEVELOPED PROPERTY SOILS:

- \* **Current Surface Contamination** - Currently contamination levels are high (e.g. 37.2 to 28,300 ppm lead) but there is no routine of exposure to people due to dense vegetation covering the property and the presence of an 8 foot fence.
- \* **Future Surface Contamination** - City zoned tracts "commercial."

Other Environmental Risks:

- ! The site is an urban setting; there are minimal ecological impacts.

## Record of Decision

Proposed Plan for OU1-5, released 2/28/97  
 Opportunity for additional comments on OU1, released 7/3/97  
 Decision Documents Signed:  
 9/2/97, ROD for OU4-5  
 9/2/97, Action Memorandum for OU1-3

- ! In the Record of Decision, EPA has selected no action as the remedy for Moton Elementary School (OU4), and groundwater (OU5). EPA's rationale for this decision is that previous actions at the school have addressed all risks posed by this portion of the site and that no further action is necessary for this property. Information obtained in the course of site investigations indicated that a three-foot layer of clean fill had been placed over the property during construction of the school facility in 1985. The Moton School property was further evaluated in the Human Health Risk Assessment, which concluded that no risk attributable to site related contaminants remains at the property.

During site investigative activities, information obtained from the Louisiana Department of Environmental Quality (LDEQ) indicated that groundwater beneath the site is not used for any beneficial purpose and should not be considered a potential source of drinking water. Residents in the site area are served by the municipal drinking water supply of the City of New Orleans. Site groundwater presents no other pathway of exposure. Thus, no action is warranted for this operable unit.

Because these no-action remedies will result in hazardous substances remaining onsite, a review will be conducted every five years after commencement of remedial action in accordance with CERCLA Section 121(c), 42 U.S.C. Section 9621(c). Should future reviews indicate that the site poses an unacceptable risk to human health or the environment, then EPA may initiate response actions under the authority of CERCLA and in accordance with the NCP.

- ! The Action Memorandum which describes response actions for the undeveloped property (OU1), residential properties (OU2), and the Shirley Jefferson Community Center (OU3), will provide prompt risk reduction through expedited action. The response actions, together with responses documented in the Record of Decision for Moton Elementary and groundwater, may provide a comprehensive response to environmental contamination at the Agriculture Street Landfill Site.

The 48-acre undeveloped property, will be cleared of vegetation, capped with 12 inches of soil, graded,

and compacted. A layer of geotextile filter fabric will be placed on the subgrade to create a physical barrier between clean cover soils and contaminated subsoil.

The top 24 inches of existing soil/waste material on the residential properties and community center, will be excavated and transported off-site for disposal. Permeable geotextile filter fabric will be placed on the subgrade and covered with clean fill. Surface features will be replaced or returned as nearly as possible to "as was" condition.

## Community Involvement

- ! Community Involvement Plan: Developed 03/94
- ! Open houses and workshops: 8/93, 9/93, 2/94, 6/94, 9/94, 10/94, 11/94, 1/95, 7/95, 3/96, 4/96, 5/96, 7/96, 8/96, 11/96, 2/97, 3/97, 6/97, 9/97, 9/9-11/98, and 10/19-21.
- ! Proposed Plan Fact Sheet: Issued to the residents for comments on 4/17/96. The formal decision making process commenced with the issuance of the 2/28/97 Proposed Plan Fact Sheet. The initial public comment period occurred March 5 - May 12, 1997. Two public meetings were conducted on 3/19/97. One was conducted in the morning for the seniors, followed with an evening meeting. A "Notice of Opportunity to Comment" on EPA's plans for the undeveloped property (OU1) was issued 7/3/97. The 30 day informal comment period commenced 7/7 and ended August 5, 1997.
- ! ROD Fact Sheet: Issued 9/97. An availability session was conducted on 9/10, and two information meetings were conducted 9/11, to discuss the selected remedy and its implementation.
- ! Milestone Fact Sheets: 8/93, 9/93, 12/93, 2/94, 3/94, 4/94, 5/94, 9/94, 10/94, 11/94, 12/94, 7/95, 4/96, 6/96, 7/96, 8/96, 11/96, 2/97, 7/97, 9/97, 10/97, 12/97, 8/98, 9/98, 11/98, 12/98, 2/99, 3/99, 4/99, 5/99, 6/99, 10/99, 12/99
- 2000:** 2/00
- ! Postcard issued on 4/24.
- ! Resident Guide issued 8/98, updated 11/98 and included a magnet with phone numbers to call for questions about site activities.
- ! Citizens on site mailing list: 458
- ! Site Repositories:
  - (1) Louisiana Department of Environmental Quality - (504) 765-0487
  - (2) Community Outreach Office - (504) 944-6445
  - (3) EPA-Region 6 - (214) 665-6548
- ! Community Concerns: Health risks to adults and children, desire to relocate, property values.

## Technical Assistance Grant

- ! Availability Notice: 6/94; re-advertised 7/94
- ! Letters of Intent Received:
  - 1) Concerned Citizens of Agriculture St. Landfill (CCASL)
  - 2) Citizens For An Environmentally Safe Press Park
- ! Final Applications Received: 9/20/94, 9/24/97
- ! Grants Awarded: 09/27/94, 2/11/98 to Concerned Citizens of Agriculture St. Landfill (CCASL)
- ! Technical Advisor selected: 3/30/95
- ! Budget periods: 9/27/94-9/26/97, 9/27/97-9/26/00
- ! Technical Advisor selected: Wilma Subra Company, New Iberia, LA ob 3/30/95
- ! Current Status: Active TAG. As of 9/20/99, all funds in second TAG have been expended.

## Contacts

- ! **Remedial Project Manager:** Ursula Lennox (EPA) 214-665-6743, Mail Code: 6SF-LP
- ! **On-Scene Coordinator:** Lon Biasco (EPA) 214-665-6673, Mail Code: 6SF-R1
- ! **State Contact:** Bill Perry, 504-765-0487
- ! **Community Involvement Coordinator:** Janetta Coats (EPA), 214-665-7308, Mail Code: 6SF-PO
- ! **Attorney:** Pamela Travis (EPA) 214-665-8056, Mail Code: 6SF-DL
- ! **State Coordinator:** Susan Jenkins (EPA) 214-665-6578, Mail Code: 6SF-LP
- ! **Prime Contractor:** Interagency Agreement with the Corps of Engineers, Ted Eilts (504) 862-2861

## Enforcement

No enforcement action has been initiated. However, on February 25, 1999, EPA issued a Unilateral Administrative Order (UAO) to the city of New Orleans, according to Superfund regulations (CERCLA Section 104(e)(5), 42 U.S.C. § 9604(e)(5)), to obtain access to street extensions and other property owned by the city within the boundaries of undeveloped property, that is part of the site. The City of New Orleans is the sole potentially responsible party for the site.

## Status and Issues

- ! The EPA made community involvement in decision making a high priority. Over a 17 month period, beginning in May 1996, and concluding with the signing of remedy decisions in September 1997, the EPA sought input through numerous workshops and publications of newsletters. In response to community concerns, the remedy was expanded from a \$12 million redevelopment concept to a \$20 million project. Increases in cost were due to the EPA's agreement to dispose of residential excavations off-site and to expand the remedy to include the undeveloped properties for a comprehensive solutions.
- ! Permanent relocation has been sought by some members of the 1000 person community while redevelopment is preferred by others. Issue is extremely polarizing. The EPA examined Superfund law and cannot relocate as the redevelopment remedy is feasible and protective.
- ! A health report developed by the Louisiana State Health Department (LaOPH) in conjunction with the Agency for Toxic Substances and Disease Registry (ATSDR) performed a Health Consultation. Its finding showed higher rates of breast cancer in the census tract which includes the site. However, chemicals found at the site, such as metals and PAH's, have not been associated with breast cancer. The ATSDR in conjunction with the State Health Department concur that most of the contamination at the site is found in the soil. As a result of the site findings, the ATSDR recommended the following: (1) Implement measures that will limit residents' exposure to areas of soil contamination at levels of health concern, (2) Access to the undeveloped area of the landfill should continue to be restricted, (3) If the undeveloped area is developed for residential use, measures should be taken to reduce levels of contamination in the soil, and (4) Children with blood lead levels greater than 10ug/dL should be retested according to CDC and the State of Louisiana Guidelines for lead poisoning.
- ! September 25, 1997, EPA entered into an interagency agreement with the U.S. Army Corps of Engineers (USACE) to conduct the voluntary soil removal action. The USACE contracted with OHM Remediation Services Corporation as its contractor to carry out this action. Planning associated with this project, is on-going.
- ! December 4, 1997, EPA and the Corps of Engineers sponsored a Small Business Conference for subcontractors in New Orleans.
- ! In the 1998 appropriations conference report (HR 2158; Independent Agencies Appropriations Act) on EPA's budget, a rider was attached that strongly urges the Agency to "...stay the remediation of the site...", based on health risks concerns.

- ! December 19, 1997 Senators Landrieu and Breaux, Congressman Jefferson, Mayor Morial, the City council representative and the community leader, jointly signed a letter to EPA requesting delay of the remedy until Congress could appropriate funds.
- ! January 15, 1998, the Concerned Citizens of Agriculture Street Landfill, Inc. filed a Complaint and Motions for Temporary Restraining Order (TRO) and Preliminary Injunction. January 15, the U.S. District Court in New Orleans granted the motion for a TRO and scheduled a preliminary injunction hearing.
- ! February 19, 1998, the Judge heard oral arguments from counsel representing the Concerned Citizens of Agriculture Street Landfill, Inc. and the EPA, on the United States' Motion to Dismiss the Action. The Action was dismissed March 9, 1998.
- ! Five residents from the community completed the 6 week worker training program offered by the National Institute of Environmental Health Sciences (NIEHS) on April 17, 1998.
- ! ATSDR in conjunction with LaOPH are conducting an Environmental Health Interventions Project. Its intent is to enhance environmental health services in communities' environmental health services.
- ! The Mayor of New Orleans met with EPA's Administrator on May 8, 1998, to discuss concerns associated with the selected actions. As a follow-up to this meeting, Region 6 attended the city of New Orleans' technical meeting on the Agriculture Street Landfill site on July 9, 1998. The intent of this effort was to discuss/reaffirm the effectiveness of the selected removal action from a technical/science approach.
- ! August 5, EPA announced plans to start the pre-mobilization phase in order to start the implementation of the voluntary soil removal action in October 1998.
- ! Residential Guide mailed to the community August 22, 1998. Availability Sessions were offered at EPA's Outreach Office and the Senior Citizen's complex September 9-11, to help residents become familiar with the Resident Guide and its function, in preparations to start the removal action in October 1998.
- ! Several Information Meetings and Availability Sessions conducted October 19-21, to prepare residents for the Voluntary Soil Removal Action. EPA also participated in meetings with representatives from the Department of Housing and Urban Development (HUD), New Orleans Mayor Marc Morial's office, and elected officials concerning relocation.
- ! Monday, October 19, 1998, EPA, the USACE and its contractors mobilized to the site to implement the voluntary soil removal action at the Gordon Plaza Apartments and portions of the undeveloped property that will be used as a staging area. Baseline air monitoring performed and dense vegetation was cleared along the perimeter of the undeveloped property in order to set bait stations to control the potential rodent population. Work in both areas are progressing, and Gordon Plaza Apartments will be completed in December 1998. Rodent control measures and air monitoring are being performed on the undeveloped property and the Gordon Plaza Apartments. Voluntary rodent control services are available to residents that live on-site. This service is free and is also available to those who may choose not to participate in the soil removal effort.
- ! October 29, 1998 letter from HUD to the city of New Orleans and elected officials stating no programs are available that offer relocation.
- ! Access agreements mailed to remaining property owners November 23, 1998, to prepare for remaining soil removal activities planned this Spring.
- ! November 1998, IT Group's, Mr. Dennis Alexander was recognized by Louisiana State Representative Naomi E. Farve and the Desire Community for his instrumental role in the training and hiring of 15 individuals from the community, at the EPA's Agriculture Street Project.
- ! On February 25, 1999, EPA issued a Unilateral Administrative Order (UAO) to the city of New Orleans, according to Superfund regulations (CERCLA Section 104(e)(5), 42 U.S.C. § 9604(e)(5)), to obtain access to street extensions and other property owned by the city within the boundaries of undeveloped property, that is part of the site.
- ! Daily reports on site activities continue to be provided to the community leader, technical advisor, and

the city of New Orleans.

- ! The Housing Authority of New Orleans (HANO) signed access agreements on 3/5/99, granting EPA access to remediate its properties located on the site. This property includes the community center and the town homes owned by HANO.
- ! Though HANO has granted EPA access to remediate its properties, no work will start on these properties until the United States District Court makes a determination on the Temporary Restraining Order that was granted to the city of New Orleans on March 8, 1999. Once a determination has been made, the community will be informed.
- ! As a follow-up to the Temporary Restraining Order that was granted to the City of New Orleans on March 8, 1999, against EPA, IT Corporation, and the Housing Authority of New Orleans (HANO), U.S. District Court for the Eastern District of Louisiana dismissed the case of City of New Orleans v. Carol Browner, et al., Civil Action No. 99-075, Section E/3 (E.D. La.), on March 31, 1999. The case against the HANO was dismissed without prejudice.
- ! The community was notified through an Information Bulletin issued in April, that soil removal activities at the community center will move forward on 4/12.
- ! A conference call was conducted on April 7, 1999, between the Judge, the Plaintiffs (the city of New Orleans), and EPA and DOJ (the Defendants), to determine if any new information exists that needs to be considered regarding the Judge's ruling that grants EPA access to the city's property on the undeveloped property (OU1). The Judge maintained his earlier decision.
- ! The permeable soil barrier has been successfully completed on the undeveloped property, the Gordon Plaza Apartments and business complex, the Press Park Townhomes, and the Shirley Jefferson Community Center. Twenty five of 67 residents in the Gordon Plaza subdivision participated in the soil removal activities. A total of 19,720 cubic yards of debris, 1,773 tires, and 59,105 cubic yards of excavated material were removed from the site. Restoration and demobilization activities were completed in January 2000 and removal activities have been suspended.
- ! The city of New Orleans appealed the District Court's decision to the 5th U.S. Circuit Court of Appeals. On 2/11/00, a three-judge panel of the 5th U.S. Circuit Court of Appeals concluded that the District Court did not err.
- ! The Notice of Intent for Partial Deletion (NOIPD) of the Agriculture Street Landfill Site Operable Unit 4 (OU4 - Moton School), including the Mugrauer playground) and Operable Unit 5 (OU5 - Groundwater) from the National Priorities List (NPL), was published in the Federal Register on February 7, 2000, and in a local newspaper on February 8, 2000. The public comment period for the NOIPD started 2/7/00 and will end on 3/17/00.

## Benefits

- ! A removal action from 9/93 to 5/94 secured an undeveloped area of the site and addressed short-term risks.
- ! Implementation of the selected remedy will address potential long-term risks and protect the health of over 1000 people living on the site.